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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/611,473	06/30/2003	Shin Kazunobu	042933/303660	1629
826 7590 01/11/2007 ALSTON & BIRD LLP BANK OF AMERICA PLAZA 101 SOUTH TRYON STREET, SUITE 4000 CHARLOTTE, NC 28280-4000			EXAMINER BAYAT, ALI	
			ART UNIT 2624	PAPER NUMBER

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/11/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/611,473

Applicant(s)

KAZUNOBU ET AL.

Examiner

Ali Bayat

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 June 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application
- ☐ Other: _____

DETAILED ACTION

Drawings

1. The drawings are objected to because "all drawings must be made by a Process, which will give them satisfactory reproduction characteristics. Every line, number, and letter must be durable, clean, black (except for color drawings), sufficiently dense and dark, and uniformly thick and well-defined. The weight of all lines and letters must be heavy enough to permit adequate reproduction. This requirement applies to all lines however fine, to shading, and to lines representing cut surfaces in sectional views. Lines and strokes of different thicknesses may be used in the same drawing where different thicknesses have a different meaning" see MPEP section 1.84 standards for drawings. For example, reference number 320 in Figure 3 is not clear another example the character "transmit" is not clear.

Corrected drawing sheets are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as

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per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-10 are rejected under 35 U.S.C. 102(e) as being anticipated by Dutta et al. (Pub. No.: US 2006/0221230 A1)

The applied reference has a common assignee (NOKIA) with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not the invention "by another," or by an appropriate showing under 37 CFR 1.131.

In regard to claim 1, Dutta provides for a method of processing an image captured by a mobile camera telephone (Fig.3 note mobile camera telephone), said

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method comprising the steps of: digitizing the image to obtain Bayer data (Fig.3 element 28, Para.18 lines 4-6, note image sensor 12 and ADC digital output 11 is a Bayer data); processing the Bayer data to obtain image data (Fig.4 element 30, Para.24 lines 9-12, note the image processing function of gamma correction); and extracting raw data from the image data (Fig.4, note the output 11 of camera module 28, which is the raw data, directed toward the camera image processing element 26b) .

As to claim 6, Dutta provides for a method, wherein the mobile camera telephone includes a camera module and a telephone module (Fig.2 note camera module/ phone system).

In regard to claim 7, Dutta provides for a method, wherein the step of processing the Bayer data is performed within the camera module (Fig.4 element 30, note gamma correction, Para30).

As to claim 8, Dutta provides for a method, wherein the step of extracting the raw data is performed in the telephone module (Fig.4, see element 26b, which uses the extracted raw data, which is processed in mobile phone processor).

With regard to claims 9 and 18 Dutta provides for a method, further comprising the step of storing the image data in the telephone module prior to the extraction step (Fig.4 element 2, note storage device SDRAM).

In regard to claim 10, Dutta provides for a method, further comprising the steps of; encoding the image data (Para. 28, Fig.5, element 32); and decoding the encoded image data (Fig.5 element 34); wherein the encoding and decoding steps are performed prior to the extraction step (Para.28 Fig.5 element 2, note storage device SDRAM 2,

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note for displaying the image data, the raw data or image component (RGB) need to be extracted).

With regard to claims 11 and 17, Dutta provides for a method, wherein the encoding step is performed according to a JPEG standard (Para. 16, note JPEG).

As to claim 12, Dutta provides for a method, further comprising the step of creating an EXIF file including the JPEG encoded image data and shooting data (Para.16 note JPEG and TIFF, which corresponds to EXIF file).

In regard to claim 13, see the rejection of claim 1. It recites similar limitations as claim 1. Except that claim 13 is a system and claim 1 is a method. Hence it similarly analyzed and rejected.

As to claim 19, see the rejection of claim 1; it recited similar limitations as claim 1. Except for an interface for receiving digitized Bayer data associated with a captured image from an image capturing device (Fig.4 element 27, Para.24 see interface 27. Hence it similarly analyzed and rejected.

With regard to claim 20, Dutta provides for the mobile camera telephone, wherein the image data is RGB data (Para. 18, note RGB color data).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2-5 and 14-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dutta et al. (US 2006/0221230 A1) in view of Silverbrook et al. (US 6,831,682).

In regard to claim 2, Dutta provides for the extracted data (Fig.4, note the output 11 of camera module 28, which is the raw data, directed toward the camera image processing element 26b). Dutta does not transmit the extracted data to a device external to the mobile camera telephone. Silverbrook transmit the extracted data to external device (col.44 lines 36-42, note photos taken by digital camera "squirt" the photos to the receptive devices such as fixed or mobile netpage printer). One in the art would have been motivated to modify Dutta according to Silverbrook to ("this may be particularly convenient when the photo user may choose to defer printing of photos while traveling, and instead retrieve and print the photos on returning home, e.g. in the form of printed pages suitable for inclusion in a normal photo album" col.44 lines 52-61) and therefore it would have obvious to one of the ordinary skill in the art to modify Dutta according to Silverbrook.

With regard to claims 3-4, 5 and 14-16 see the rejection of claim 2. They recite similar limitations as claim 2. Hence they are similarly analyzed and rejected.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ali Bayat whose telephone number is 571-272-7444. The examiner can normally be reached on M-F 9:00 AM-5:00 PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jingge Wu can be reached on 571-272-7429. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Ali Bayat
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1/07/07

